

Michael G. McNally (MM-6714)

**KROLL HEINEMAN, LLC**

Metro Corporate Campus One

99 Wood Avenue South, Suite 307

Iselin, New Jersey 08830

Tel: (732) 491-2100

Fax: (732) 491-2120

Attorneys for Plaintiffs Patrick Byrne and Paul Drazen,

as Trustees to LIUNA, Local No. 734 Pension and Welfare Funds

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

PATRICK BYRNE and PAUL DRAZEN, as TRUSTEES OF THE LABORERS' INTERNATIONAL UNION OF NORTH AMERICA LOCAL 734 PENSION FUND and LABORERS' INTERNATIONAL UNION OF NORTH AMERICA LOCAL 734 WELFARE AND EDUCATIONAL FUND, and LABORERS LOCAL 734,

Plaintiffs,

-VS-

LOUIS CALASTRO, SALVATORE  
SALERNO, MICHAEL ROSADO, JOSEPH  
GAMBARDELLA, PETER RIZZO, JOHN  
FRITZSCH, AUGUST VERGALITO, RHODA  
VERGALITO, JAMIE DOLAN, EDWARD  
DOLAN, BERNARD DWYER, ISAAC  
BAROCUS a/k/a "Irving Barocus," FRANK  
PERNICE, CHARLES J. PURCELL, CJP  
ACCOUNTING, INC., PURCELL  
ORGANIZATION, INC., DENNIS J.  
JASTRZEBSKI, DDS, CHRISTOPHER  
SABATELLA, DANIEL CASTIGLIONE,  
JOHN DOES 1-26, and ABC CORPORATIONS  
1-26,

Defendants.

) Hon. Dennis M. Cavanaugh, U.S.D.J.

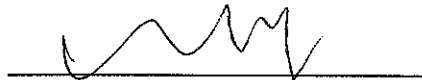
Civil Action No. 05-68 (DMC)

**STIPULATION OF DISMISSAL WITH  
PREJUDICE AS TO DEFENDANT  
CHRISTOPHER SABATELLA**

**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned counsel


for Plaintiffs in the above-captioned matter and Defendant Christopher Sabatella, that pursuant to

Fed. R. Civ. P. 41(a) the above-entitled action, and all related claims, cross-claims and counterclaims are dismissed with prejudice as to Defendant Christopher Sabatella, in light of the settlement of all disputed claims and issues by and between these parties.



MICHAEL G. MCNALLY  
**KROLL HEINEMAN, LLC**  
Attorneys for Plaintiffs

Dated: October 7, 2008  
at Iselin, New Jersey



STEVEN B. HOROWITZ  
**ROTH HOROWITZ, LLC**  
Attorneys for Christopher Sabatella

Dated: October 10, 2008  
at Springfield, New Jersey

**SO ORDERED:**

\_\_\_\_\_  
Hon. Dennis M. Cavanugh, U.S.D.J.

Dated: \_\_\_\_\_, 2008